THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.17684 of 2006
Date:25-08-2006

Between:
Uppala Chennakesavulu Petitioner

And

The District Collector, (Panchayat Wing) Guntur and others

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.17684 of 2006

ORDER:

1. Heard both the counsel

2. The writ petition is filed for a writ of Mandamus to set-aside the impugned proceedings of the 1st respondent vide Roc.No.1700/99-G.1 dated 28-04-2006, subsequently to direct the respondents to conduct fresh enquiry and to verify M-Books pertaining to the works executed by the petitioner as a Sarpanch in his tenure of Nagaram Grampanchayat, Nagaram Mandal, Guntur District by giving fresh opportunity and pass such other suitable orders.

3. Several factual details had been narrated in the affidavit filed in support of the writ petition. The learned A.G.P. for the Panchyat Raj states that the petitioner is having effective alternative remedy by way of appeal by virtue of Section 265(3) of A.P. Panchayat Raj Act, 1994. However, the counsel for the petitioner states that in the impugned order no details and particulars had been furnished and for want of sufficient material, the petitioner is unable to effectively defend himself by raising appropriate grounds in appeal. It is needless to say that the ground of vagueness also can be made as a ground of attack. Except making these observations, nothing else can be done at this stage. In view of the fact, that the petitioner is having an effective remedy by way of appeal, liberty is given to the petitioner to approach the concerned appellate authority to redress grievance in accordance with law.

4. With the above observation, the writ petition is disposed of. No order as to costs.

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25-08-2006

Stp